

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

AMBIX INTERNATIONAL, INC.,	)	
a Florida Corporation,	)	
	)	
Plaintiff,	)	8:04CV342
	)	
vs.	)	ORDER
	)	
SAV-RX, L.L.C.,	)	
a Nebraska Corporation, and	)	
MELALEUCA, INC.,	)	
an Idaho Corporation,	)	
	)	
Defendants.	)	

This matter is before the court on the defendant Melaleuca, Inc.'s Motion for Leave to File Amended Answer to Amended Complaint and Cross-Claim (Filing No. 42). Melaleuca, Inc. filed a brief (Filing No. 43), an affidavit (Filing No. 44) and the proposed amended answer (Filing No. 45) with the motion. **See** NECivR 15.1(a). None of the other parties to this action filed an objection to the motion. Melaleuca, Inc.'s motion was filed after the deadline for amendments. However, Melaleuca, Inc. contends the reason for the amendment is based on discovery which took place after the deadline for amending pleadings. Specifically, Melaleuca, Inc. seeks to amend the answer to include the affirmative defenses of accord and satisfaction, equitable estoppel and indemnity. Upon consideration and for good cause shown,

**IT IS ORDERED:**

1. Melaleuca, Inc.'s Motion for Leave to File Amended Answer to Amended Complaint and Cross-Claim (Filing No. 42) is granted.

2. Melaleuca, Inc. shall have to on or before **January 3, 2006**, to file the amended answer.

DATED this 16th day of December, 2005.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge